

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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PAUL RECKTENWALD,

Petitioner,

v.

WARDEN LeGRAND, et al.,

Respondents.

Case No. 3:15-cv-00490-MMD-VPC

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner.

The Court has conducted a preliminary review of the petition in this case, pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts. The petition in the instant action challenges petitioner's state conviction in the Fifth Judicial District Court for the State of Nevada, Case Nos. PC-2571 and PC-2578. Petitioner previously challenged these same convictions in this Court, by way of a federal habeas corpus petition, filed under case number 3:15-cv-00187-RCJ-VPC. In case number 3:15-cv-00187-RCJ-VPC, petitioner has been appointed counsel, and an amended petition has been filed. (Docket in 3:15-cv-187-RCJ-VPC, at dkt. nos. 67 & 74). Case number 3:15-cv-00187-RCJ-VPC is still pending and the Court has not yet ruled on the merits of the amended petition. Because petitioner is adequately represented by counsel in case number 3:15-cv-00187-RCJ-VPC, the instant *pro se* petition is dismissed as duplicative and petitioner's motions filed in this case are denied. Further, this Court denies petitioner a certificate of appealability because reasonable jurists would not find the dismissal of a duplicative petition to be debatable or wrong.

1 It is therefore ordered that this action is dismissed with prejudice as duplicative of
2 the petition filed in case number 3:15-cv-00187-RCJ-VPC.

3 It is further ordered that petitioner's application for leave to proceed *in forma*
4 *pauperis* (dkt. no. 1) is denied.

5 It is further ordered that petitioner's motion for the appointment of counsel (dkt.
6 no. 1-5) is denied.

7 It is further ordered that petitioner's motion for an extended copywork limit (dkt.
8 no. 1-6) is denied.

9 It is further ordered that petitioner is denied a certificate of appealability.

10 It is further ordered that the Clerk will enter judgment accordingly.

11 DATED THIS 27th day of April 2016.

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14 MIRANDA M. DU
15 UNITED STATES DISTRICT JUDGE
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